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Overreaction to spy cases could harm US as much as lost secrets

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As fresh-caught spies contemplate life behind bars, lawmakers and intelligence experts are warning that overreaction to espionage in the US could do just as much harm as lost secrets.

Some observers point to the espionage conviction of Samuel L. Morison, a civilian intelligence analyst for the Navy, as an example of just such an overreaction. Morison was sentenced in a Baltimore Federal District Court yesterday to two years in prison for giving classified spy-satellite photographs to a British defense publication last year. Morison worked as a part-time American editor for the publication.

The case has attracted attention because Morison was tried under United States espionage laws even though he was not a spy in the classic sense. The results are expected to serve notice to government employees that unauthorized disclosure of classified information will be dealt with harshly.

Civil libertarians contend that Morison is a "leaker" rather than a spy. They say that prosecution of leakers as spies distorts the First Amendment guarantee of free speech and amounts to the establishment of a US equivalent to Britain's Official Secrets Act. (In Britain, it is unlawful to disclose any information the government deems secret.)

Many who study security issues observe that overreaction in the current political climate could ruin innocent careers, hurt morale, and seriously erode the level of trust among US servicemen and intelligence officials.

Rep. Patricia Schroeder (D) of Colorado says, "If we have to adopt their [Soviet-style] security system, they've won."

Rep. Don Edwards (D) of California agrees: "You just don't know what could happen if the wrong people take the lead and frighten the American people." He adds, "Repression is not going to be effective [in preventing espionage]."

Representatives Schroeder and Edwards have scheduled a hearing tomorrow to take what they call a "coolheaded" look at America's spy problem. They say the hearing is intended to ensure that legislation resulting from the recent spy cases is the product of careful thought, rather than the result of an emotional reaction.

"We are worried about an overreaction," says Schroeder. "America is now into its Rambo mind-set," and "Rambo never sat down and thought, 'How will I go out and deal with [a problem]?' "

She continues, "The issue is: What have we learned from these cases that we can apply to make it more difficult to spy on the United States."

In his radio address last Saturday, even President Reagan highlighted the dilemma, commenting, "While our security is tied to protecting certain secrets, there is no need to fight repression by becoming repressive ourselves."

The most comprehensive recommendations for reforming US security come from a special Pentagon commission headed by retired Army Gen. Richard G. Stilwell. Last month, the commission announced some 60 recommendations, including such controversial measures as expanded use of polygraph tests and a system of cash rewards to encourage government employees to report fellow workers they suspect of spying.

General Stilwell says that while government employees should turn in suspected spies "as a matter of duty," the commission felt that a reward might serve as an added incentive, particularly for individuals outside government service who have knowledge of spying.

Some current and former government officials have expressed concern that offering money to help catch spies might lead to abuses of the system and eventually damage the level of trust among government employees. Representative Edwards, in particular, says, "I don't

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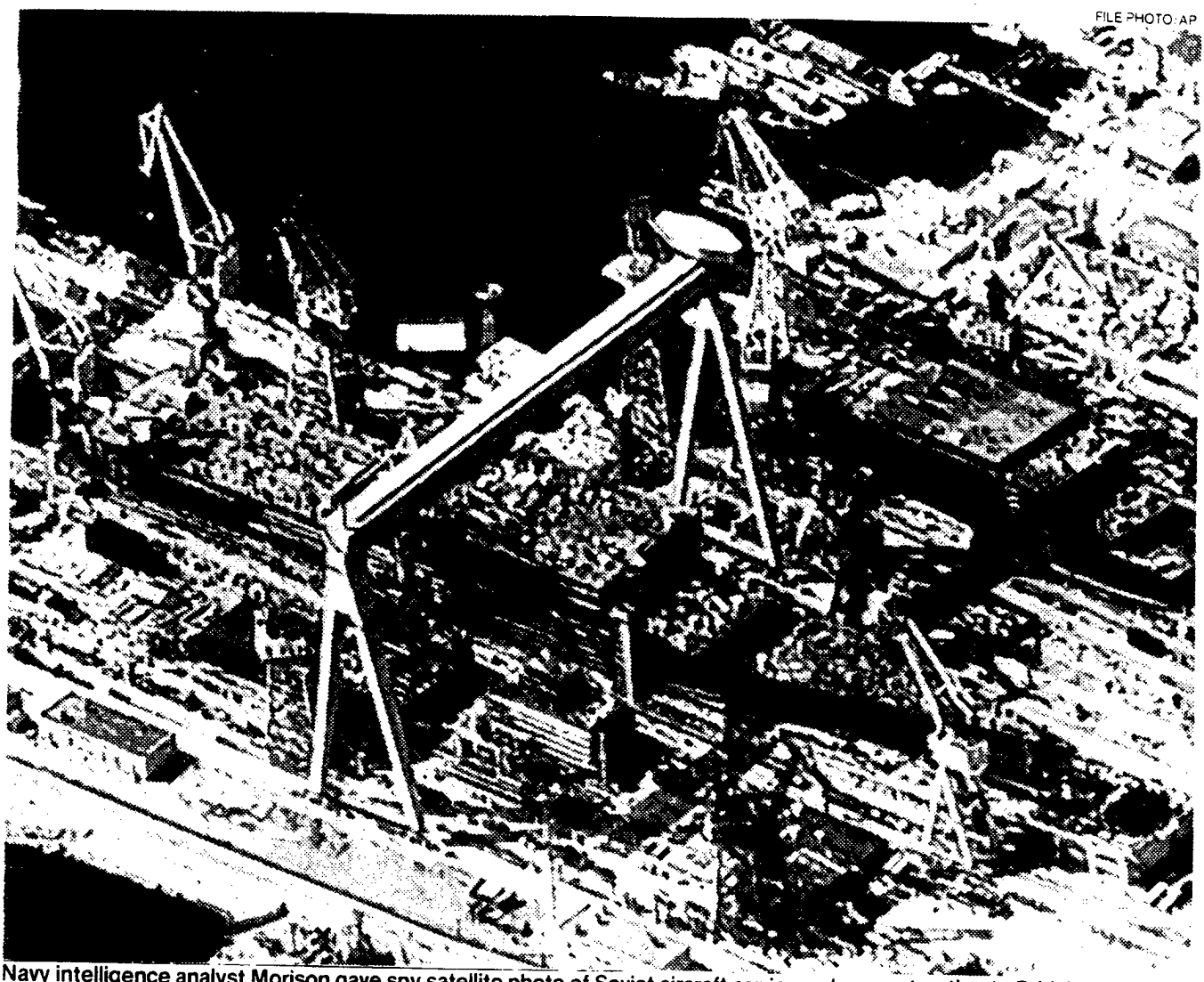

Navy intelligence analyst Morison gave spy satellite photo of Soviet aircraft carrier under construction to British magazine

think we should become a nation of snitchers."

Other possible security-enhancing proposals include:

- Increasing the thoroughness and frequency of security background checks of government employees and establishing personality profiles of potential spies (drinking problems, financial problems).
- Amending US tax laws to give counterintelligence agents access to Internal Revenue Service files to permit verification of the financial standing of a suspected spy.
- Reducing the number of Soviet diplomats in the US to roughly the number of US diplomats in the USSR. This would reduce the number of Soviet officials US counterintelligence agents have to keep under surveillance, freeing agents for other assignments.
- Restricting the travel and activities of other East-bloc diplomats, commercial officials, and both Soviet and East-bloc United Nations officials to the limits now governing Soviet diplomats.

In the US, government leakers, when discovered, have historically been fired or demoted rather than charged with a crime.

"If I thought it was criminal, I wouldn't have done it," Morison said after the hearing. He added, "I apologize for breaking the law." Under federal parole rules, Morison is eligible for release in eight months.

Government prosecuter Michael Schatzow has argued that it makes no difference if Morison was a Soviet agent or the part-time editor of a British naval publication. By disclosing classified information to unauthorized individuals, Morison had done "potential" damage to US national security, Mr. Schatzow says.

"He stole photographs and Xeroxed copies of intelligence summaries and set them in front of people not entitled to receive them," Schatzow said to reporters after the sentencing. "You call them leak cases, I call them theft cases."

Schatzow had asked for a sentence of four years and a $10,000 fine for Morison, saying that it would send a clear message to potential leakers. Morison faced up to 40 years in jail and $40,000 in fines.

Morison's attorney, Robert F. Muse, said the case would be appealed.

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